

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

AZUJHON KENNETH SIMS,

Plaintiff,

vs.

STEVEN D. GRIERSON, *et al.*

Defendant.

2:12-cv-00314-RCJ-VPC

ORDER

Plaintiff, a state inmate, has filed an application (#1) to proceed *in forma pauperis* seeking to initiate a civil rights action against a state district court clerk.

Plaintiff has not submitted a proper application to proceed *in forma pauperis*. Under 28 U.S.C. § 1915(a)(2) and Local Rules LSR 1-1 and 1-2, a plaintiff must submit an application on the Court's required form. Plaintiff did not submit the application on the Court's required form.

In addition, the complaint was not submitted on the Court's § 1983 complaint form as required by Local Rule LSR 2-1.

Due to the multiple defects presented, this improperly commenced action will be dismissed without prejudice. It does not appear that a dismissal without prejudice will necessarily result in a promptly filed and properly commenced action being time-barred.¹

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¹The relief sought by plaintiff is reflected in #1-2 at electronic docketing pages 16-17. Civil rights actions arising within Nevada are subject to a two-year statute of limitations.

1 IT THEREFORE IS ORDERED that the application (#1) to proceed *in forma pauperis*
2 is DENIED without prejudice.

3 IT FURTHER IS ORDERED that this improperly commenced action is DISMISSED
4 without prejudice to the filing of a new complaint on the proper form in a new action together
5 with either the required \$350.00 filing fee or a properly completed application to proceed *in*
6 *forma pauperis* on the proper form and with all required, and new, financial attachments.

7 IT FURTHER IS ORDERED that all motions submitted are DENIED without prejudice.

8 IT FURTHER IS ORDERED that the Clerk shall send plaintiff two copies each of an
9 *in forma pauperis* application form for a prisoner and a § 1983 complaint form and one copy
10 of the instructions for each form.

11 The Clerk of Court shall enter final judgment accordingly, dismissing this action without
12 prejudice.

13 DATED: This 6th day of July, 2012.

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17 ROBERT C. JONES
18 Chief United States District Judge
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